

July 10, 2008

John Auerbach
Commissioner
Massachusetts Department of Public Health
250 Washington Street
Boston, MA 02108-4619

RE: DPH Proposed Green Building DoN Guidelines

Dear Commissioner Auerbach:

Children's Hospital Boston would like to take the opportunity to comment on the DPH's proposed Green Building guidelines. In doing so, we echo and support the comments regarding implementation timelines and renovation compliance thresholds made by the Massachusetts Hospital Association.

In general, Children's Hospital Boston is supportive of the broad objectives of the proposed DON regulations mandating project design and operations be more environmentally sound, and also recognizes that we already have that mandate under City of Boston bylaws (Article 37). As you know, we have a strong commitment to improving the health of the patients and communities we serve, and an equally strong commitment to the health of our employees. However, we do have both comments and suggestions in response to the material previously shared for comment:

1. The process outlined in the Informational Briefing and in the draft regulations suggested a provisional green and healthy building strategy assessment to include in the DON application, with completed certifiable strategy credit point assessment at plan review. The Public Health Council apparently wishes to accelerate this second step and require it along with the initial DON. We believe the original recommendation made sense, and urge that the original recommended language and process be restored. That process mirrors the City of Boston process as well: a Statement of Intent is required at early filing; a more detailed submission is completed at building permit time. During the detailed design and engineering phase of a project, specific systems and materials can and do change, and it is only at completion of contract documents that sustainable design credits can be accurately documented.
2. The requirements for renovations should be different (and lower) than the target minimum percentage for new construction, which we understand is effectively at the LEED Silver level. We agree in principal that Silver (or equivalent) is an appropriate and achievable goal for new construction and "gut level": renovations where all infrastructure is replaced. However, the DON process is triggered in many cases by smaller projects. For example, modest renovations throughout a building or specific types of renovations involving specific technologies (like for an MRI suite) would require a DON and hence a LEED equivalent process). It would be difficult, if not impossible, to achieve LEED Silver level or equivalent for these types of projects. There must be a different standard for renovations.
3. We think there should be more specificity as to how the review process will operate and who will conduct the review. For example, the City of Boston requires documentation and self certification by a LEED-Accredited Personnel. The alternative would presumably be independent review by DON/DPH staff. The latter of course would

require additional staffing at DPH. Should this be the intended process, we would want to assure that sufficient qualified staffing is available at the Department to complete necessary reviews in a timely manner. We would be happy to discuss ways in which we can support your requests for adequate staffing at DPH for the DON review function generally.

We hope these suggestions are useful, and would be happy to continue to participate in this process as you deem helpful.

Sincerely,

Charles Weinstein Esq
Vice President for Real Estate, Planning and Development

Cc: Stuart Novick
Joshua Greenberg
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